

Implementing the National Voter Registration Act

PROJECT VOTE

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Voter Registration Opportunities that must be Offered at Each Agency Under the NVRA:

Each Agency Must:

- 1) distribute a mail voter registration application form and declination form with each application for service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance;
- 2) assist applicants in completing voter registration application forms unless the applicant refuses such assistance; and
- 3) accept completed voter registration application forms for transmittal to the appropriate state election official no later than 10 days after the date of acceptance or 5 days before the last day for registration to vote in an election.

42 U.S.C. § 1973gg-5(a)(4)(A)

What about remote transactions?

The NVRA still applies.

“Distribution” means either physically handing the voter registration application and voter notice forms to the client in the case of an on-site transaction, or mailing or electronically transmitting the forms in the case of a remote, off-site transaction.

See CDHS NVRA Agency Letter, § C(2), June 10, 2008

The Law Requires States to Report

The NVRA requires the U.S. Election Assistance Commission (“EAC”) to submit a biennial report to Congress on the impact of the NVRA on the administration of federal elections for the previous two-year period

42 U.S.C. § 1973gg-7

What Should Colorado Agencies be Doing...

Each Agency Must:

- 1) Distribute the state agency voter registration form (“yellow form”) with each application for benefits, recertification/renewal request and change form;
- 2) Assist clients in completing voter registration applications;
- 3) Collect completed voter registration application forms from clients and transmit those forms to the appropriate state election official in a timely manner;
- 4) Retain declination forms for 24 months;
- 5) Report accurate data regularly to Secretary of State via “Survey Monkey.”

What Should Colorado Agencies be Doing (cont.)

- 6) Attach the yellow agency voter registration application to each benefits packet (application; recertification; change form);
- 7) Mail yellow forms with recertification documents and any other paperwork distributed for remote transactions;
- 8) Track number of applications; recertifications; change of address (in-person and remote);
- 9) Track responses to declination forms;

What is Colorado Doing?

Project Vote Assessment of NVRA Compliance in Colorado

- Surveyed 7 counties in March 2009
- Analyzed SOS Online VR Survey Monkey data April-June 2009

Denver County

PV Survey

- At **1200 Federal**, none of the clients surveyed reported having received a voter registration application or declination form.
- At the **Tremont Pl.** office, the Project Vote surveyor asked an office worker if the VR application could be submitted with the benefits application. The worker responded, “nope, you’ve gotta mail it.”
- At the **Peoria Street** office, a Project Vote surveyor was told by a front desk employee that VR applications are not normally given with each benefits application.

SOS Online Survey

- NVRA performance rate in Denver County (completed VR apps / total offers) is half the rate in El Paso and Adams Counties.
- Numbers of total declination forms for reporting periods ranged from 400-1000.

El Paso County

PV Survey

- None of the people surveyed at the **N. Spruce Street** office reported having been offered any information on voter registration.
- When a Project Vote Surveyor asked a staff person for a VR application, the worker replied: “[w]e don’t have them here, you’ll probably have to go to the library if you want to register to vote.”
- When a Project Vote surveyor asked if she could register to vote when she filled out a benefits application, the worker replied, “[o]h no, that’s something different.”

SOS Online Survey

- Previous months had low total number of declination forms.
- June performance rate is consistent with Adams County.

Larimer County

PV Survey

- In Larimer, there were voter registration apps within the benefits packets.

SOS Online Survey

- Had 455 total declination forms for June 2009.

Boulder County

PV Survey

- Everyone surveyed at the office on **N. Broadway** had been asked by a caseworker if they wanted to register and were provided a VR application.
- Stacks of blank VR applications were readily available and provided in the benefits packet.

SOS Online Survey

- Very low total declinations for one of the most populous counties.

Adams County

PV Survey

- Most people surveyed said they were asked whether they wanted to register to vote and remembered being given a declination form and VR application.
- Yellow VR application attached to each benefits application. Extra VR applications readily available.

SOS Online Survey

- Consistent performance rate across months.

Jefferson County

PV Survey

- At the DHS office on **Jefferson County Pkwy** in Golden, clients reported having received voter registration applications.
- A worker, upon giving surveyor an application, told surveyor to “remember to bring it back so we can turn [it] in...for you.”

SOS Online Survey

- Total number of completed declination forms have been inconsistent (April 1-15 was several times higher than for other periods)

Arapahoe County

PV Survey

- N/A – did not survey Arapahoe County

SOS Online Survey

- Arapahoe combines remote transactions with in-person transactions, while other counties report only in-person transactions.
- As a result, Arapahoe reports reflect a large number of completed declination forms and blank forms compared to rest of state.

Division of Vocational Rehab

PV Survey

- N/A – did not survey DVR offices

SOS Online Survey

- DVR reports are not clear as to how many covered transactions occur at each office.
- As a result, performance rate is unknown.

The conclusion is....

- Several problems with reporting by counties
- Several instances of staff being uninformed on procedure for distributing VR apps
- Inconsistent numbers in several counties
- Some counties don't report at all

Best Practices to Ensure Compliance: Reporting

- Regular and accurate data reporting via “Survey Monkey” will reveal NVRA performance rates across the state, highlighting progress and any inconsistencies.
- Adding survey questions to track number of persons visiting DHS offices will help better highlight progress.
- On-time reporting will ensure the Secretary of State has accurate, up-to-date data to show DHS’s compliance under the NVRA.



Colorado Secretary of State

[Exit
this
survey
>>](#)

NVRA Agency Reporting Form March 1-15

1. NVRA AGENCY REPORTING FORM - MARCH

The National Voter Registration Act requires all designated agencies issuing voter registration applications to provide statistical data on the number of issued and completed voter registration application forms. This notification should be submitted no later than the 21st of each month for reporting periods ending on the 15th and no later than the 5th of the succeeding month for reporting periods ending on the last day of the month.

If you have questions about completing this survey, please contact Angela Lawson at a.lawson@sos.state.co.us or at 303-894-2200, extension 6304.

THIS SURVEY SHOULD BE COMPLETED FOR ACTIVITY BETWEEN MARCH 1, 2009 AND MARCH 15, 2009.

*** 1. County Name**

*** 2. Agency Name**

*** 3. Name of person completing form.**

*** 4. Agency Address**

Street Address

City/Town

County

Zip

***5. Name of Director**

Printed Name Director:

Signature of Director:

***6. The questions presented in this survey have changed. Please tally the number of clients that checked each box on the declination form.**

1.) How many clients checked the first box on the declination form to register to vote?

2.) How many clients checked the second box on the declination form to change their voter registration address?

3.) How many clients checked the third box on the declination form declining to register to vote?

4.) How many clients checked the fourth box on the declination form stating that they are already registered to vote and do not need to update their information?

5.) How many clients refused to fill out the declination form and left it blank?

6.) How many completed voter registration applications were transmitted to the county clerk?

7. Please leave any comments here on the numbers entered above.

Done >>

Best Practices to Ensure Compliance: Online Reporting

Currently, the online statistical report collects:

- Number of “yes” responses
- Number of “update registration” responses
- Number of “no responses”
- Number of “already registered” responses
- Number of “blank” responses
- Number of completed VR applications transmitted

Best Practices to Ensure Compliance: Online Reporting

Suggested additions:

- Number of clients seen in the office for NVRA covered transactions
 - ❑ Initial applications
 - ❑ Recertifications/renewals
 - ❑ Change of address

- How many “yellow forms” were mailed?
 - ❑ Initial applications
 - ❑ Recertifications/renewals
 - ❑ Change of address

Best Practices to Ensure Compliance: Reporting

Reception Log/Voter Registration Log:

Staff can easily track office traffic data by keeping a Reception Log of the numbers of people who visit the office for these purposes:

- ❑ apply for benefits,
- ❑ complete recertification/renewal,
- ❑ report changes of address, and
- ❑ register to vote only.

The Reception Log should be reconciled with the numbers of responses to declination questions (Voter Registration Log), weekly. Numbers of declination responses (including “blanks”) should equal the total number of covered transactions.

Staff should note any discrepancies between the two logs and report to the local NVRA Site Coordinator.

Best Practices to Ensure Compliance: Provide Training and Support

- DHS must interact frequently with election officials to ensure training and support is provided to all personnel engaging in NVRA-covered transactions
- Employee training should occur frequently with refresher training annually
- NVRA Coordinator should be trained to train employees
- Employee training should occur before contact with clients

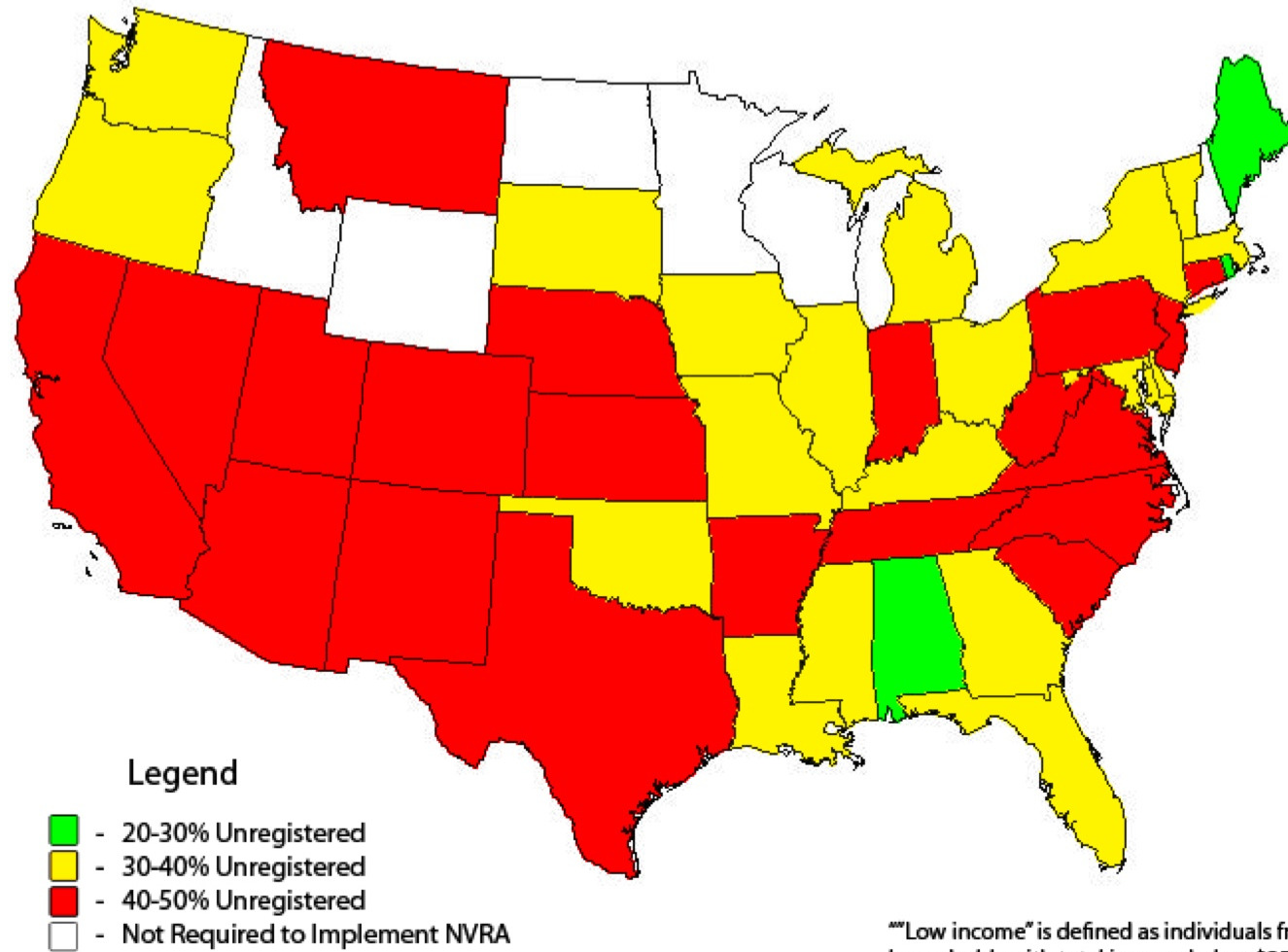
Best Practices to Ensure Compliance: Other Measures

- Ensure 2 months supply of VR forms on hand
- Employee and office evaluation process should include NVRA compliance
- Staff should perform quick review of completed voter registration application form to ensure all required fields are filled out (equal assistance.)
- System for random, in-person spot checks of offices
- Short video/PSA in waiting room
- Make NVRA compliance part of the office culture

Need for the NVRA Remains High

- Nationwide, low-income registration rate was only 65% (compared to 85% for upper-income) in 2008
- 11 million unregistered low-income citizens in 2008 nationwide (140,000+ in Colorado alone)
- People with disabilities have lower registration rates as well: only 68% are registered
- When registered, people vote: 90% of people registered in 2008 voted

Low Income Adult Citizens Unregistered 2006



Examples of Success: Missouri

Voter Registration Applications from Public Assistance Agencies in Missouri:

Before Implementation of Best Practice Procedures:
7,500 *per year*.

After Implementation of Best Practice Procedures:
10,000 – 12,000 *per month*

Examples of Success: Tennessee

Tennessee tripled the number of applications agencies collected after a consent decree with the Justice Department in 2003

Compliance still works: TN's agencies collected nearly 159,000 voter applications during 2007-2008

“I think one of the things that we have learned from this process is that we had assumed that the agency voter registration was on autopilot and that we assumed that these agencies were doing the jobs that they were expected to do.

“We have learned from that that we need to continuously stay focused on the activities of these Section 7 agencies. Requiring them to report, comparing the reports to other reports that we receive from a different agency will enable us to identify if there is a potential problem out there ...”

Johnnie McLean,
Chief Deputy Director,
North Carolina State Board of
Elections

“Compliance with the NVRA is not just another federal mandate; it is a key component for families to act on their own behalf ... Not only is this an essential component of a family’s movement toward self-sufficiency, it is also absolutely essential if we hope to further our democracy.”

Catherine Truss,
Michigan Department of Human Services

Questions?

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